

OPINION 1398

CAPYS HEWITSON, [1865] (LEPIDOPTERA, LYCAENIDAE):
CONSERVED

RULING.—(1) Under the plenary powers the generic name *Scoptes* Hübner, [1819] is hereby suppressed for the purpose of the Principle of Priority but not for that of the Principle of Homonymy.

(2) The name *Capys* Hewitson, [1865] (gender: masculine), type species by monotypy *Papilio alpheus* Cramer, [1777], is hereby placed on the Official List of Generic Names in Zoology.

(3) The name *alpheus* Cramer, [1777], as published in the binomen *Papilio alpheus*, (specific name of the type species of *Capys* Hewitson, [1865]) is hereby placed on the Official List of Specific Names in Zoology.

HISTORY OF THE CASE Z.N.(S.)1748

An application for the conservation of *Capys* Hewitson, [1865] was first received from the late Dr N. D. Riley (*British Museum (Natural History)*, London) on 8 March 1966. It was published in *Bull. zool. Nom.*, vol. 23, pp. 165–166 (October 1966). No comment was received. A short time after publication, Article 23b of the Code, which was cited in the case, came under investigation by a special committee appointed by the Council of the Commission, and consequently no further action was taken.

In 1974 a proposal to complete this application was received from Lt.-Col. C. F. Cowan (*Cumbria, U.K.*) and published in *Bull. zool. Nom.*, vol. 30, pp. 133–134. The case was however left in abeyance until it was republished, due to the long interval that had passed, in *Bull. zool. Nom.*, vol. 41, pp. 119–121 (June 1984). Public notice of the possible use of the plenary powers in the case was given in the same part of the *Bulletin* as well as to ten general and eleven specialist serials. A comment was received from Colonel Cowan and published in *Bull. zool. Nom.*, vol. 41, p. 197. As a consequence of this comment the Commission were asked to vote on proposals (1)(b), (2), (3) and (4) only.

DECISION OF THE COMMISSION

On 17 January 1986 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (1986)15 for or against the proposals set out in *Bull. zool. Nom.* vol. 41, pp. 120–121 as amended on p. 197. At the close of the voting period on 17 April 1986 the state of the voting was as follows:

Affirmative Votes—twenty-two (22) received in the following order: Melville, Holthuis, Cocks, Savage, Willink, Starobogatov, Alvarado,

Mrocowski, Hahn, Kabata, Trjapitzin, Schuster, Uéno, Lehtinen, Ride, Halvorsen, Heppell, Bayer, Dupuis, Bernardi, Cogger, Thompson

Negative Votes — None (0).

No votes were returned by Corliss, Gruchy and Kraus.

ORIGINAL REFERENCES

The following are the original references for the names placed on Official Lists by the ruling given in the present Opinion:

alpheus, *Papilio*, Cramer, [1777], *De uitlandsche Kapellen*, vol. 2 (16), p. 31

Capys Hewitson, [1865], *Illustrations of Diurnal Lepidoptera*. Lycaenidae. (Supplement), vol. 1, p. 59.

CERTIFICATE

I hereby certify that the votes cast on Voting Paper (1986)15 were cast as set out above, that the proposals contained in that voting paper have been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1398.

P. K. TUBBS

Executive Secretary

International Commission on Zoological Nomenclature

London

17 April 1986